

179w of this title and repealing sections 179 to 179k of this title and provisions set out as a note under section 179 of this title] may be cited as the ‘National Film Preservation Act of 1996’.”

#### ACT REFERRED TO IN OTHER SECTIONS

The National Film Preservation Act of 1996 is referred to in title 36 section 151702.

#### SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 179s, 179t, 179u, 179v, 179w of this title.

### § 179m. Duties of Librarian of Congress

#### (a) Powers

##### (1) In general

The Librarian shall, after consultation with the Board established pursuant to section 179n of this title—

(A) continue the implementation of the comprehensive national film preservation program for motion pictures established under the National Film Preservation Act of 1992, in conjunction with other film archivists, educators and historians, copyright owners, film industry representatives, and others involved in activities related to film preservation, taking into account the objectives of the national film preservation study and the comprehensive national plan conducted under the National Film Preservation Act of 1992. This program shall—

(i) coordinate activities to assure that efforts of archivists and copyright owners, and others in the public and private sector, are effective and complementary;

(ii) generate public awareness of and support for these activities;

(iii) increase accessibility of films for educational purposes; and

(iv) undertake studies and investigations of film preservation activities as needed, including the efficacy of new technologies, and recommend solutions to improve these practices;

(B) establish criteria and procedures under which films may be included in the National Film Registry, except that no film shall be eligible for inclusion in the National Film Registry until 10 years after such film’s first publication;

(C) establish procedures under which the general public may make recommendations to the Board regarding the inclusion of films in the National Film Registry; and

(D) determine which films satisfy the criteria established under subparagraph (B) and qualify for inclusion in the National Film Registry, except that the Librarian shall not select more than 25 films each year for inclusion in the Registry.

##### (2) Publication of films in Registry

The Librarian shall publish in the Federal Register the name of each film that is selected for inclusion in the National Film Registry.

##### (3) Seal

The Librarian shall provide a seal to indicate that a film has been included in the National Film Registry and is the Registry ver-

sion of that film. The Librarian shall establish guidelines for approval of the use of the seal in accordance with subsection (b) of this section.

#### (b) Use of seal

The seal provided under subsection (a)(3) of this section may only be used on film copies of the Registry version of a film. Such seal may be used only after the Librarian has given approval to those persons seeking to apply the seal in accordance with the guidelines under subsection (a)(3) of this section. In the case of copyrighted works, only the copyright owner or an authorized licensee of the copyright owner may place or authorize the placement of the seal on any film copy of a Registry version of a film selected for inclusion in the National Film Registry, and the Librarian may place the seal on any film copy of the Registry version of any film that is maintained in the National Film Registry Collection in the Library of Congress. Anyone authorized to place the seal on any film copy of any Registry version of a film may accompany such seal with the following language: “This film was selected for inclusion in the National Film Registry by the National Film Preservation Board of the Library of Congress because of its cultural, historical, or aesthetic significance.”.

(Pub. L. 104-285, title I, §103, Oct. 11, 1996, 110 Stat. 3377.)

#### TERMINATION OF SECTION

*For termination of section, see section 179w of this title.*

#### REFERENCES IN TEXT

The National Film Preservation Act of 1992, referred to in subsec. (a)(1)(A), is title II of Pub. L. 102-307, June 26, 1992, 106 Stat. 267, which was classified principally to sections 179 to 179k of this title and was repealed by Pub. L. 104-285, title I, §114, Oct. 11, 1996, 110 Stat. 3382.

#### SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 179l, 179o, 179q, 179s, 179t, 179u, 179v, 179w of this title.

### § 179n. National Film Preservation Board

#### (a) Number and appointment

##### (1) Members

The Librarian shall establish in the Library of Congress a National Film Preservation Board to be comprised of 20 members, who shall be selected by the Librarian in accordance with this section. Subject to subparagraphs (C) and (N), the Librarian shall request each organization listed in subparagraphs (A) through (Q) to submit a list of three candidates qualified to serve as a member of the Board. Except for the members-at-large appointed under subparagraph<sup>1</sup> (2), the Librarian shall appoint one member from each such list submitted by such organizations, and shall designate from that list an alternate who may attend at Board expense those meetings to which the individual appointed to the Board cannot attend. The organizations are the following:

(A) The Academy of Motion Picture Arts and Sciences.

<sup>1</sup> So in original. Probably should be “paragraph”.

- (B) The Directors Guild of America.
- (C) The Writers Guild of America. The Writers Guild of America East and the Writers Guild of America West shall each nominate three candidates, and a representative from one organization shall be selected as the member and a representative from the other organization as the alternate.
- (D) The National Society of Film Critics.
- (E) The Society for Cinema Studies.
- (F) The American Film Institute.
- (G) The Department of Film and Television of the School of Theater, Film and Television at the University of California, Los Angeles.
- (H) The Department of Film and Television of the Tisch School of the Arts at New York University.
- (I) The University Film and Video Association.
- (J) The Motion Picture Association of America.
- (K) The Alliance of Motion Picture and Television Producers.
- (L) The Screen Actors Guild of America.
- (M) The National Association of Theater Owners.
- (N) The American Society of Cinematographers and the International Photographers Guild, which shall jointly submit one list of three candidates from which a member and alternate will be selected.
- (O) The United States Members of the International Federation of Film Archives.
- (P) The Association of Moving Image Archivists.
- (Q) The Society of Composers and Lyricists.

## **(2) Members-at-large**

In addition to the members appointed under paragraph (1), the Librarian shall appoint up to three members-at-large. The Librarian shall also select an alternate for each member<sup>2</sup> at-large, who may attend at Board expense those meetings which the member<sup>2</sup> at-large cannot attend.

### **(b) Chair**

The Librarian shall appoint one member of the Board to serve as Chair.

### **(c) Term of office**

#### **(1) Terms**

The term of each member of the Board shall be 4 years, except that there shall be no limit to the number of terms that any individual member may serve.

#### **(2) Removal of member or organization**

The Librarian shall have the authority to remove any member of the Board, or the organization listed in subsection (a) of this section such member represents, if the member, or organization, over any consecutive 2-year period, fails to attend at least one regularly scheduled Board meeting.

#### **(3) Vacancies**

A vacancy in the Board shall be filled in the manner in which the original appointment was

made under subsection (a) of this section, except that the Librarian may fill the vacancy from a list of candidates previously submitted by the organization or organizations involved. Any member appointed to fill a vacancy before the expiration of the term for which his or her predecessor was appointed shall be appointed for the remainder of such term.

### **(d) Quorum**

11 members of the Board shall constitute a quorum but a lesser number may hold hearings.

### **(e) Reimbursement of expenses**

Members of the Board shall serve without pay, but may be reimbursed for the actual and necessary traveling and subsistence expenses incurred by them in the performance of the duties of the Board.

### **(f) Meetings**

The Board shall meet at least once each fiscal year. Meetings shall be at the call of the Librarian.

### **(g) Conflict of interest**

The Librarian shall establish rules and procedures to address any potential conflict of interest between a member of the Board and responsibilities of the Board.

(Pub. L. 104-285, title I, §104, Oct. 11, 1996, 110 Stat. 3378.)

## **TERMINATION OF SECTION**

*For termination of section, see section 179w of this title.*

## **SECTION REFERRED TO IN OTHER SECTIONS**

This section is referred to in sections 179l, 179m, 179s, 179t, 179u, 179v, 179w of this title.

## **§ 179o. Responsibilities and powers of Board**

### **(a) In general**

The Board shall review nominations of films submitted to it for inclusion in the National Film Registry and consult with the Librarian, as provided in section 179m of this title, with respect to the inclusion of such films in the Registry and the preservation of these and other films that are culturally, historically, or aesthetically significant.

### **(b) Nomination of films**

The Board shall consider, for inclusion in the National Film Registry, nominations submitted by the general public as well as representatives of the film industry, such as the guilds and societies representing actors, directors, screenwriters, cinematographers, and other creative artists, producers, and film critics, archives and other film preservation organizations, and representatives of academic institutions with film study programs. The Board shall nominate not more than 25 films each year for inclusion in the Registry.

### **(c) Powers**

#### **(1) In general**

The Board may, for the purpose of carrying out its duties, hold such hearings, sit and act at such times and places, take such testimony, and receive such evidence, as the Librarian and the Board consider appropriate.

<sup>2</sup> So in original. Probably should be followed by a hyphen.